

Jorge Alejandro Rojas  
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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JORGE ALEJANDRO ROJAS,  
  
Plaintiff,  
  
v.  
  
MARKETIZO MEDIA, and MATIAS  
OSCAR,  
  
Defendants.

Case No. 2:23-cv-07695-FLA-BFM

Assigned to: Judge Fernando L. Aenlle-  
Rocha

**NOTICE OF MOTION;  
MOTION FOR EXTENSION OF TIME  
TO SERVE DEFENDANTS**

Hearing: May 10, 2024, 1:30 PM  
First Street Courthouse<sup>1</sup>  
350 W. 1st Street, Courtroom 6B  
6th Floor, Los Angeles, California 90012

**NOTICE OF MOTION**

NOTICE IS HEREBY GIVEN, that Plaintiff, Jorge Alejandro Rojas, will bring on for hearing this Motion for Extension of Time to Serve Defendants, before the Honorable Fernando L. Aenlle-Rocha, or whomever may be sitting in his stead, on May 10, 2024, at 1:30 PM, or as soon as possible thereafter as he may be heard, at the First Street Courthouse 350 W. 1st Street, Courtroom 6B, 6th Floor, Los Angeles, California 90012.

<sup>1</sup> Plaintiff intends to separately request the ability to appear for this hearing remotely.

**MOTION FOR EXTENSION OF TIME TO SERVE DEFENDANTS**

Plaintiff, Jorge Alejandro Rojas, pursuant to Fed. R. Civ. P. 4(m), moves this Court for a brief ninety-one (91) day extension of time within which to serve Defendants Marketizo Media (“Marketizo”) and Matias Oscar (“Oscar”), from the current deadline of April 15, 2024 to July 14, 2024. Plaintiff has been unable to confer with any defendant prior to the filing of this motion, and is unaware of any counsel for the same.

This is an action under the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, alleging Defendants violated the TCPA by making telephone calls to the Plaintiff without his consent and while being on the National Do Not Call Registry. Plaintiff initially commenced this action against a different set of Defendants (Dkt. 1), which was voluntarily dismissed without prejudice following settlement by the parties (Dkt. 13).

Plaintiff filed his First Amended Complaint against the current set of Defendants on October 17, 2023 – for the conduct alleged in the original Complaint. Dkt. 17. Plaintiff was provided contact information for Marketizo and Oscar by the parties in the original Complaint, and Plaintiff has attempted service on them to that address, but has been unsuccessful. Marketizo has been identified as the entity potentially liable for the telemarketing calls – along with its officer Oscar. Plaintiff has been unable to find a company with that name – but has included it based on representations of counsel of the companies previously sued and dismissed.

On October 25, 2023, Plaintiff retained a process server to serve Oscar, at the address identified by counsel for the dismissed parties. Dkt. 20-1 ¶ 3. A process server attempted to serve Oscar on October 26, 2023, October 31, 2023, November 2, 2023, and November 5, 2023. During the attempts, the server was unable to make contact with Oscar – and ultimately the resident stated that they did not know of someone with that name. Plaintiff has filed the proof of non service. Dkt. 19.

Plaintiff e-mailed Oscar on October 25, 2023, at the e-mail provided by counsel for the former Defendants, in an attempt to resolve this matter. Oscar has not replied. Dkt. 20-

1 ¶ 3. The website domain for Defendants - marketizomedia.com – is currently parked  
2 without content – but prior versions archived from March 2023 do have content - *See*  
3 <https://web.archive.org/web/20230331023649/https://marketizomedia.com/> (archive from  
4 March 31, 2023). Plaintiff's attempts to mail Mr. Oscar have resulted in returned mail.

5 On February 18, 2024, Plaintiff moved the Court for subpoenas to aid in service of  
6 process. Dkt. 21. The Magistrate Judge granted the request on February 21, 2024. The  
7 subpoenas are directed at the domain registrar and LinkedIn Corporation.

8 LinkedIn Corporation has since produced responsive records on March 25, 2024.  
9 Exhibit 1, Rojas Dec'l ¶ 3. The records identify an additional email address for Mr. Oscar  
10 for which Plaintiff has e-mailed Mr. Oscar in an attempt to resolve this matter. Rojas Dec'l  
11 ¶ 4. The records also identified a phone number which is not a U.S. number and Plaintiff  
12 has been unable to connect to it.

13 The subpoena has been served upon the domain registrar, but Plaintiff is awaiting a  
14 response. Rojas Dec'l ¶ 5. In Plaintiff's experience, civil subpoenas to domain registrar's  
15 typically take several weeks/few months to produce responsive records. Rojas Dec'l ¶ 6.

16 Plaintiff seeks this brief extension of time in order to obtain subpoena returns and  
17 then identify an alternate means to serve Defendants. Rojas Dec'l ¶ 7. Plaintiff understands  
18 this case has been open for a period of time, but represents that he has worked diligently in  
19 attempting to identify a manner in which to serve Defendants.

20 This is the second such extension requested<sup>2</sup>, and will not prejudice any party and  
21 is not meant for the purpose of delay. This case is still in an early stage. Defendants will  
22 still have an option to answer the operative complaint via pleading or motion. Plaintiff has  
23 also worked diligently to identify a proper means to serve Defendants, making several  
24 attempts to serve them at the address provided by the prior settling parties, researching for  
25

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26  
27 <sup>2</sup> Plaintiff previously moved for an extension but withdrew the request recently  
28 because he was requesting a further extension request.

1 a real corporate entity, and attempting to establish means of communication via e-mail with  
2 Oscar.

3 Plaintiff respectfully requests the Court extend the deadline to serve Defendants to  
4 and including July 14, 2024.

5 Dated: April 8, 2024.

6 /s/ Jorge Alejandro Rojas  
7 Jorge Alejandro Rojas  
8 [Rojas.jorge96@gmail.com](mailto:Rojas.jorge96@gmail.com)  
9 Plaintiff in Pro Se  
557 Cambridge Way  
Bolingbrook, IL 60440  
(424) 219-1582

10 **CERTIFICATE REGARDING CONFERRAL**

11 Plaintiff is unaware of counsel for any Defendant. Plaintiff has previously e-mailed  
12 Defendant Oscar and has not received a response. Plaintiff has been unable to confer with  
13 any Defendant prior to the filing of this motion.

14 Dated: April 8, 2024.

15 /s/ Jorge Alejandro Rojas  
16 Jorge Alejandro Rojas

17 **CERTIFICATE OF WORD COUNT**

18 The undersigned, Plaintiff, certifies that this brief contains 1,038 words, which  
19 complies with the word limit of L.R. 11-6.1.

20 Dated: April 8, 2024.

21 /s/ Jorge Alejandro Rojas  
22 JORGÉ ALEJANDRO ROJAS

23 **CERTIFICATE OF SERVICE**

24 Plaintiff will mail a copy of this filing to each Defendants last known address via  
25 USPS First Class Mail.

26 Dated: April 8, 2024..

27 /s/ Jorge Alejandro Rojas  
28 Jorge Alejandro Rojas